



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

FARWICK, *et al.*

Appl. No.: 09/834,722

Filed: April 16, 2001

For: **New Nucleotide Sequences which
Code for the menE Gene**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt. 21123/280112

Amendment to Comply With Sequence Listing Rules

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 29, 2001, Applicants submit the following amendments to comply with Sequence Listing Rules.

Amendments

Please delete the Sequence Listing originally filed with the application and that appears on pages 28-32 of the English translation of the application enclosed herewith. In its place, please enter the enclosed Sequence Listing on separate pages after the claims and abstract of the application.

On page 21 of the English translation of the application enclosed herewith, please amend lines 28-31 to read as follows:

menE-int1:

5' CTC ACT CCG TTG AAT TTG G 3' (SEQ ID NO:3)

menE-int2:

5' CAG GTG CAT TTC TGT AGC C 3' (SEQ ID NO:4)

Remarks

I. The Amendments

The specification of the application was amended by deleting the sequence listing originally filed and entering a substitute sequence listing. The substitute names the inventors as applicants rather than the assignee of the application. The newly entered sequence listing is separately numbered from the rest of the pages of the application and should be entered after the claims and abstract.

In addition, page 21 of the application, as it appears in the English translation, was amended to include sequence identification numbers for DNA sequences appearing on lines 29-31.

II. Submission of Computer Readable Copy of Sequence Listing

Applicants are including herewith a 3.5 inch computer readable diskette which contains a copy of the newly submitted Sequence Listing in ASCII text.

III. Statements to Comply With 37 C.F.R. § 1.821 and 1.825

In compliance with 37 C.F.R. § 1.821(f), Applicants' undersigned attorney hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), Applicants' undersigned attorney hereby states that the submission herewith does not add new matter to the application.

Conclusion

In light of the present amendments and enclosures, Applicants respectfully submit that all Sequence Listing requirements have now been complied with. It is therefore respectfully submitted that this application is now in condition for substantive review.

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If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to call Applicants' undersigned attorney at (703) 905-2173.

Respectfully submitted,

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Appendix

Version with Markings to Show Changes Made

The specification of the application was amended to enter sequence identification numbers. The changes that were made are shown below with the underlined words indicating text that was added.

On page 21 of the specification, lines 28-31 were amended as follows:

menE-int1:

5' CTC ACT CCG TTG AAT TTG G 3' (SEQ ID NO:3)

menE-int2:

5' CAG GTG CAT TTC TGT AGC C 3' (SEQ ID NO:4)